

§ 7.6

35 CFR Ch. I (7–1–00 Edition)

(1) Is incident to the performance of duty and is sustained as a result of or in connection with civil disturbance, public disorder, efforts to save human life or Government property, or a natural or other disaster; or

(2) Occurs in areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements and results from vandalism that is determined to have been politically motivated.

(d) Damage to or loss of property which is incident to the performance of duty, *Provided*, That such damage or loss results from an incident that is not attributable to a common or usual risk of the claimant's employment.

(e) Damage to or loss of property used for the benefit of the Government at the direction of a responsible official.

(f) Money deposited with an authorized Government agent for safekeeping.

(g) Damages to or loss of property incident to transportation or storage pursuant to orders or in connection with travel under orders, including property in the custody of—

(1) A common or contract carrier or other commercial carrier under contract with the Government;

(2) An agent or agency of the Government; or

(3) The claimant, or while in a public or private conveyance in which he is being transported while in official travel status.

(Sec. 3(b)(1), Pub. L. 96–70, 93 Stat. 455)

[31 FR 12406, Sept. 17, 1966, as amended at 42 FR 17875, Apr. 4, 1977; 44 FR 75308, Dec. 19, 1979]

§ 7.6 Principal types of claims not payable.

The following are examples of types and categories of property for which compensation will not be allowed:

(a) Losses or damages totaling less than one dollar.

(b) Money or currency except when deposited with an authorized Government agent for safekeeping or except when lost incident to a marine, rail, aircraft, or other common disaster, or a natural disaster such as a fire, flood, hurricane, etc.

(c) Small items of substantial value such as cameras, watches, jewelry, and furs, which are lost, damaged, or stolen during shipment by ordinary means, e.g., with household goods or hold luggage.

(d) Articles being worn (unless allowable under § 7.5 (c) or (d)).

(e) Intangible property such as bank books, checks, notes, stock certificates, money orders, travelers checks, etc.

(f) Property owned by the United States, unless employee is financially responsible for it to another Government agency.

(g) Claims for loss or damage to motor vehicles or trailers or personal property contained therein (unless allowable under § 7.5 (c), (d) or (g)).

(h) Losses of insurers and subrogees.

(i) Losses recovered or recoverable from insurers and carriers.

(j) Losses recovered or recoverable pursuant to contract.

(k) Claims for damage or loss caused, in whole or in part, by the negligence or wrongful act of the employee or his agent.

(l) Property used for business or profit.

(m) Theft from the possession of the employee unless due care was used to protect possession.

(n) Property acquired, possessed or transported in violation of law or regulations.

(o) Loss in quarters located within the 50 States or the District of Columbia not assigned or otherwise provided in kind by the Government.

[31 FR 12406, Sept. 17, 1966, as amended at 42 FR 17875, Apr. 4, 1977; 44 FR 75308, Dec. 19, 1979]

§ 7.7 Types and quantity of property.

Claims are allowable only for such types and quantities of tangible personal property as to which its possession is determined to have been reasonable, useful, or proper under the attendant circumstances at the time of the loss or damage.

§ 7.8 Computation of award.

(a) *Lost or destroyed property.* The amount allowable for an item of property that is lost or destroyed may not exceed its actual value at the time the